

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EMMANUEL ASHEMUKE,

Petitioner,

v.

ISRAEL JACQUEZ, Warden, Federal
Detention Center SeaTac, *et al.*

Respondents.

Case No. C22-1320-JHC-SKV

ORDER RE: APPOINTMENT OF
FEDERAL PUBLIC DEFENDER AND
SETTING BRIEFING SCHEDULE

Petitioner Emmanuel Ashemuke is a federal prisoner who is currently confined at the Federal Detention Center in SeaTac, Washington. On September 19, 2022, Petitioner filed a petition for writ of habeas corpus under 28 U.S.C. § 2241. *See* Dkts. 1, 3. Petitioner asserts therein that the Federal Bureau of Prisons (“BOP”) has miscalculated his sentence because it refuses to apply earned time credits (“ETCs”) he is entitled to under the First Step Act of 2018 towards his sentence due to an immigration detainer. *See* Dkt. 3. Respondents filed a motion to dismiss the petition (Dkt. 9), and Petitioner filed a response opposing that motion (Dkt. 11). Respondents did not file a reply.

After reviewing the briefing of the parties, the Court referred the case to the Office of the Federal Public Defender for review. Dkt. 13. On December 2, 2022, the Federal Public

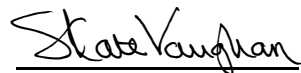
ORDER RE: APPOINTMENT OF FEDERAL
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BRIEFING SCHEDULE - 1

Defender filed a financial affidavit on behalf of Petitioner. Dkt. 14. Upon determining that Petitioner is financially unable to retain counsel, the Court appointed the Federal Public Defender to represent Petitioner and the case was assigned to Assistant Federal Public Defender Corey Endo. Dkt. 15. The Court now finds and ORDERS as follows:

(1) Petitioner is directed to file a supplemental response to Respondents' motion to dismiss not later than **January 16, 2023**. Respondents' motion to dismiss (Dkt. 9) is RE-NOTED for consideration on **January 20, 2023**, and Respondents shall file a reply brief by that date.

(2) The Clerk is directed to send copies of this Order to all counsel of record and to the Honorable John H. Chun.

DATED this 5th day of December, 2022.



S. KATE VAUGHAN
United States Magistrate Judge